

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)

Request for Review of the Decisions of the)
Universal Service Administrator by)

Guamani School)
Guayama, Puerto Rico)

Schools and Libraries Universal Service Support)
Mechanism)

File Nos. SLD-348594, 348624

CC Docket No. 02-6

ORDER

Adopted: November 10, 2004

Released: November 12, 2004

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Guamani School (Guamani School), Guayama, Puerto Rico seeks review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ When Guamani School filed its request with the Commission, it also had a Request for Review of the same decision on file with SLD.² The Commission's rules do not contemplate simultaneous appeals of SLD's decisions to the Administrator and the Commission.³ We therefore dismiss without prejudice Guamani School's Request for Review to the Commission. Once the Administrator has issued its decision, Guamani School may then appeal to the Commission, if it believes such an appeal is warranted at that time.⁴

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed on August 23, 2004, by Guamani School, Guayama, Puerto Rico IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION



Vickie S. Robinson
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

¹ Letter from Eduardo Delgado, Guamani School, to Federal Communications Commission, filed August 23, 2004 (Request for Review). Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

² Letter from Eduardo Delgado, Guamani School, to Schools and Libraries Division, Universal Service Administrative Company, filed August 16, 2004.

³ 47 C.F.R. § 54.720 (providing that, when an applicant has an appeal pending with the Administrator, the period to file with the Commission is tolled until the Administrator's review is complete).

⁴ See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rules pertaining to Commission review of the Administrator's decisions).